

**EXTRACT COUNCIL MINUTES: 28 MAY 2020**

**UNANIMOUSLY RESOLVED**

**Item A43/28/05/2020**

that the amended 2017-2022 Five Year Integrated Development Plan (3<sup>rd</sup> Review) and the Spatial Development Framework (SDF) be approved by Council.

**Item number A43 28.05.2020**

**AMENDMENT OF THE 2017-2022 FIVE YEAR INTEGRATED DEVELOPMENT PLAN AND THE SPATIAL DEVELOPMENT FRAMEWORK (SDF): THIRD REVIEW OF THE 2017-2022 INTEGRATED DEVELOPMENT PLAN**

Report of the IDP Administrator: Mrs D Jonas / Town Planner: Mr W. Schutte

**Department** Municipal Manager

**Section** Integrated Development Planning

**File number** 12/2/3/33

**PURPOSE OF THE REPORT**

The purpose of this report is to obtain Council approval of the amended 2017-2022 five year Integrated Development Plan: Third Review of the 2017-2022 Integrated Development Plan and amendments to the Spatial Development Framework (SDF).

**FACTS AND BACKGROUND**

Section 34 (b) of the Municipal Systems Act, 2000 (MSA) states that a Municipal Council must review its IDP in accordance with a prescribed process which is set out in Regulation 3, of the Municipal Systems Act (MSA) Planning and Performance Management Regulations of 2001. The process to be followed when amending an IDP, which can only be proposed by a member or a committee of council, entails the following:

- Submitting a memorandum setting out the reasons for the proposal and should be aligned with the framework adopted in terms of MSA Sec. 27;
- The amendment of the IDP must be adopted by a decision taken by the municipal Council;
- Reasonable notice must be given to the members of Council about the proposed amendment and it has to be published for public comment for a period of at least 21 days.

In addition to the amendment process, District and B-municipalities have to consider the following:

(i) District Municipality must

- Consult with its local municipalities; and
- Consider all comments provided to it by the B-municipalities before a final decision is made

(ii) B-municipality must

- Consult its District Municipality;
- Take all comments submitted to it by the district municipality into account before a final decision was made.

The Fourth Generation IDP for the period 2017 to 2022 was adopted by Council per Item A83 on 30 May 2017 as required by legislation. The third review of the 2017-2022 IDP for Swellendam Municipality in terms of section 34 (b) of the MSA will serve as a 2017-2022 IDP Amendment (2<sup>nd</sup> Review was adopted by Council per Item A61 on 30 May 2019), because of a comprehensive review to the Spatial Development Framework (SDF). The Swellendam SDF was drafted prior to the promulgation of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the Land Use Planning Act, 2014 (LUPA) therefore



the Ministry of Local Government, Environmental Affairs and Development Planning recommended comprehensive amendment by 2020. The adopted amendments to the Swellendam Spatial Development Framework read as part of the Fourth Generation Integrated Development Plan of 2017-2022.

The legal framework, contents, processes and procedures relating to the IDP originates from Chapter 5 of the Municipal Systems Act, Act 32 of 2000 read with Sections 21 (1) (a) and (b); 22 (a) (i) and (ii) and 17 (3) (d) of the Municipal Finance Management Act, Act 56 of 2003 (MFMA) as well as Section 17 (3) (d) of the MFMA stipulates that any proposed amendments to the IDP following the annual review of the IDP in terms of section 34 of the Systems Act, must be tabled by the Mayor together with the budget. The tabling of the budget must be done 90 days before the start of the new budget year in terms of section 16 of the MFMA. Section 22 stipulates that the annual budget and other documents referred to in section 17 (3) must be made public and the local community must be invited to submit representations in connection with the budget.

### **Integrated Development Plan**

Integrated development planning is regulated by Chapter 5 of the Local Government Municipal Systems Act, Act 32 of 2000. Section 25 (1) requires each Municipal Council to adopt a single, inclusive and strategic plan (IDP) for the development of the Municipality within a prescribed period after the start of its elected term.

The IDP-

- is adopted by the council within one year after a municipal election and remains in force for the council's elected term (a period of five years);
- is drafted and reviewed annually in consultation with the local community as well as interested organs of state and other role players;
- guides and informs all planning and development, and all decisions with regard to planning, management and development;
- forms the framework and basis for the municipality's medium term expenditure framework, annual budgets and performance management system; and
- seeks to promote integration by balancing the economic, ecological and social pillars of sustainability without compromising the institutional capacity required in the implementation, and by coordinating actions across sectors and spheres of government.

**The Integrated Development plan will be distributed as a separate addendum.**

### **Spatial Development Framework**

Swellendam Municipality is currently in the process of Amending the Municipal Spatial Development Framework (SDF), in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) ('SPLUMA'), the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) ('LUPA') and the Municipal Land Use Planning Bylaw.

Section 12(5) and (6) of SPLUMA states that:

12(5) A municipal spatial development framework must assist in integrating, coordinating, aligning and expressing development policies and plans emanating from the various sectors of the spheres of government as they apply within the municipal area.

12(6) Spatial development frameworks must outline specific arrangements for prioritising, mobilising, sequencing and implementing public and private infrastructural and land development investment in the priority spatial structuring areas identified in spatial development frameworks.

The Land Use Planning By-law prescribes procedures to be followed to amend the municipal spatial development framework.

*Section 3(1) stipulates that Council must –*

- (a) Establish an intergovernmental steering committee to compile or amend its municipal spatial development framework; or
- (b) Refer its draft municipal spatial development framework or draft amendment of its municipal spatial development framework to the Provincial Minister for comment.



*Section 3(2) stipulates that the Municipality must –*

- (a) Publish a notice in two of the official languages of the Province, most spoken in the area and in two newspapers circulating in the area concerned of-
  - (i) The intention to compile or amend the municipal spatial development framework; and
  - (ii) The process to be followed, in accordance with section 28(3) and 29 of Municipal Systems Act;
- (b) Inform the Provincial Minister in writing of –
  - (i) The intention to compile or amend the municipal spatial development framework
  - (ii) Its decision in terms of subsection (1)(a) or (b); and
  - (iii) The process to be followed to compile or amend the municipal spatial development framework, including the process contemplated in subsection (2)(a)(ii).
- (c) Register relevant stakeholders, who must be invited to comment on the draft municipal spatial development framework or draft amendment of the municipal spatial development framework as part of the process contemplated in subsection (2)(a)(ii).

**The Spatial Development Framework is attached on page 1 to 16 of the Annexures.**

## **DISCUSSION**

In terms of Sections 28(2) and 29(1) of the Local Government Municipal Systems Act (Act 32 of 2000) read together with Section 21(1) the Local Government Municipal Finance Management Act (Act 56 of 2003) (MFMA) the Municipal Council adopted an Amended Process Plan and Time Schedule on 29 August 2019 to guide the planning, drafting, and adoption of its amendments to the 2017-2022 five year Integrated Development Plan and Spatial Development Framework (SDF): Third Review of the 2017-2022 Integrated Development Plan.

### ***Amendments to the Final 2017-22 IDP:***

An amended process plan sets out the following:

1. The scope of application of the IDP and an explanation of the IDP Cycle;
2. The applicable legislative framework;
3. A stakeholder analysis which identifies public participation platforms;
4. Sector alignment and sector plan to the IDP/SDF;
5. Roles and responsibilities;
6. The annual revision;
7. A detailed programme and time schedule which demonstrates the integration of the budget;
8. The Council resolution adopting the Process Plan.

### ***The Western Cape Provincial Strategic Framework: 2019-2024***

The Provincial Strategic Plan (PSP) sets out the Western Cape Government's (WCG) vision and strategic priorities. The PSP 2019-2024 builds on the firm foundations that were put in place during the last two terms of office. The Third Review IDP ensure alignment between the Provincial Strategic Plan 2019-2024 and the 2017-2022 Municipal (Council's) Strategic direction.

The **Final 2017-2022 Amended IDP/SDF** to be aligned with the below **5 VIP Impact Statement**. Government services are delivered to the people of the Western Cape in an accessible, innovative and citizen-centric way:

- Focus area 1: Citizen-Centric Culture & Developing and growing the WCG Brand
- Focus area 2: Innovation for impact
- Focus area 3: Integrated service delivery
- Focus area 4: Governance transformation
- Focus area 5: Talent & Staff Development

### **Overberg Joint District Approach (JDA)**

The **Final 2017-2022 Amended IDP/SDF** to be aligned with the **Overberg Joint District Approach (JDA)** focusing on the District as a whole:

- Provincial Priority-Culture and Innovation: Integrated Planning



- Provincial Priority-Jobs And Economy: Waste Management, Climate Change, Urbanisation, Ease of Doing Business, Local Economic Development
- Provincial Priority-Empowering People: Citizen Interface
- Provincial Priority-Public Transport, Mobility and Spatial Transformation: Infrastructure Management

### ***Amendments to the SDF***

The proposed amendments to the SDF is focused on making the SDF SPLUMA compliant as the SDF was largely formulated during the previous legislative environment. The principles of SPLUMA and LUPA must be incorporated into the document. The amendment process will also entail the incorporation of planning proposals received from the public during the public participation process and the update of the document with the latest available environmental information, statistics and economic indicators. Integration with the IDP process and public engagement is regarded as a critical part of this amendment process.

The amendment process is largely focused on updating outdated information contained in the SDF and addresses the following issues:

1. Compliance and reference to the latest planning legislation (SPLUMA, etc.)
2. Updated biodiversity information (SANBI, 2017) to ensure consistency with Overberg SDF and to demarcate the spatial planning categories which informs land use outside the urban edges of towns.
3. Updated references to the latest National / Provincial policy documents which informs the SDF.
4. Updated socio-economic information (with assistance from Department Environmental Affairs and Development Planning).
5. Restructured document to make it more user-friendly.
6. Commenced with a Capital Expenditure Framework (CEF) (as required by SPLUMA) by identifying a number of Priority Development Areas. The CEF will be developed further in the next few years to assist in the planning and investment in the required infrastructure to support development.

The 2017-2022 Amended Integrated Development Plan and Spatial Development Framework (SDF) is supplementary to the 2020-2021 Annual Budget and SDBIP. The approved documents were advertised for public comments with closing date 08 May 2020. In light of the COVID-19 Pandemic precautionary measures, public consultation was invited via media platforms sending links to various sector groups. Soliciting public input was a challenge as not all the residents have access to these platforms. Those received however were considered in the finalisation of the Final 2020-2021 Budget/IDP.

<b>Approved Document</b>	<b>Total Distribution</b>	<b>Total Response</b>
Draft 2020-2021 IDP: 3rd Review (2017-2022 Amendment) : <a href="https://bit.ly/39ULUYL">https://bit.ly/39ULUYL</a>	290 WhatsApp  769 Facebook  168 Emails	5
Draft 2020-21 Budget: <a href="https://bit.ly/2XoCSR4">https://bit.ly/2XoCSR4</a>  Draft 2020/21 Budget Policies and Tariffs: <a href="https://bit.ly/2RpKkYI">https://bit.ly/2RpKkYI</a>	290 WhatsApp  769 Facebook  168 Emails	4
Draft 2020-21 Top Layer SDBIP: <a href="https://bit.ly/39Uny1j">https://bit.ly/39Uny1j</a>	290 WhatsApp  769 Facebook  168 Emails	0



Draft 2020/21 Swellendam Spatial Development Framework (SDF) : <a href="https://bit.ly/34lumnk">https://bit.ly/34lumnk</a>	290 WhatsApp 769 Facebook 168 Emails	8
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## LEGAL IMPLICATIONS

Local Government: Municipal Systems Act No 32 of 2000.

Local Government: Municipal Finance Management Act 56 of 2003.

## FINANCIAL IMPLICATIONS

None

## PERSONNEL IMPLICATIONS

None

## COMMUNICATION IMPLICATIONS

None

## COMMENT FROM DEPARTMENTS

### Director: Corporate Services

None

### Director: Community Services

None

### Director: Financial Services

None

### Director: Infrastructure Services

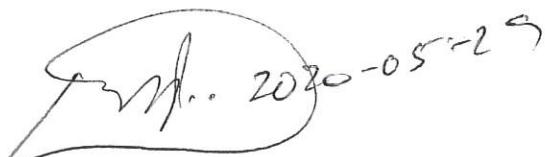
None

### Comment from Municipal Manager

The recommendation is supported.

## RECOMMENDED

that the amended 2017-2022 Five Year Integrated Development Plan (3<sup>rd</sup> Review) and the Spatial Development Framework (SDF) be approved by Council.



A handwritten signature in black ink, enclosed in an oval. The signature appears to read 'M. 2020-05-29'.